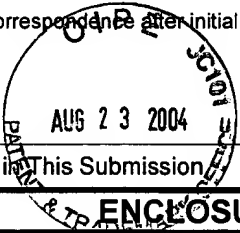
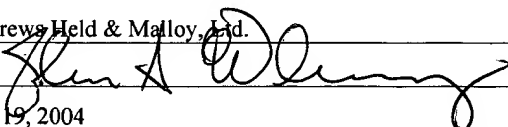
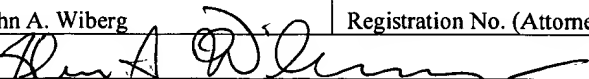


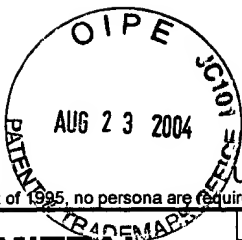
<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number 09/557,274	
		Filing Date April 24, 2000	
		First Named Inventor Agazzi	
		Group Art Unit 2634	
		Examiner Name S. Liu	
Total Number of Pages in This Submission 4		Attorney Docket Number 13434US01	



ENCLOSURES (check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO 1449/08A with references <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) (        sheets) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return-receipt post card	<div style="font-size: 2em; font-weight: bold; margin-bottom: 10px;">RECEIVED</div> <div style="font-size: 1.2em; margin-bottom: 10px;">AUG 26 2004</div> <div style="font-size: 1.2em;">Technology Center 2600</div>
Remarks			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual Name	McAndrews Held & Malloy, Ltd.
Signature	
Date	August 19, 2004

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 19, 2004.			
Name (Print/type)	John A. Wiberg	Registration No. (Attorney/Agent)	44,401
Signature		Date	August 19, 2004



Approved for use through 10/31/2002. OMB 0651-0032  
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<b>FEE TRANSMITTAL</b> <b>for FY 2004</b> Patent Fees are subject to annual revision.		<b>Complete if Known</b>	
		Application Number	09/557,274
		Filing Date	April 24, 2000
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TOTAL AMOUNT OF PAYMENT (\$330.00)		Group Art Unit	2634
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**RECEIVED**

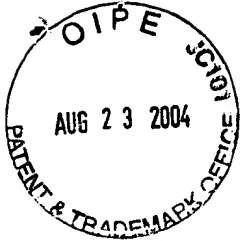
<b>METHOD OF PAYMENT</b>		<b>FEE CALCULATION (continued)</b>																																																																																																																																																																																																						
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number: 13-0017 Deposit Account Name: McAndrews Held & Malloy <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		3. <b>ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td></tr> <tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td></tr> <tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td></tr> <tr><td>1254</td><td>1,480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td></tr> <tr><td>1255</td><td>2,010</td><td>2255</td><td>1,005</td><td>Extension for reply within fifth month</td></tr> <tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td></tr> <tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td></tr> <tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1510</td><td>Petition to institute a public use proceeding</td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - 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late filing fee or oath	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	1053	130	1053	130	Non-English specification	1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	1251	110	2251	55	Extension for reply within first month	1252	420	2252	210	Extension for reply within second month	1253	950	2253	475	Extension for reply within third month	1254	1,480	2254	740	Extension for reply within fourth month	1255	2,010	2255	1,005	Extension for reply within fifth month	1401	330	2401	165	Notice of Appeal	1402	330	2402	165	Filing a brief in support of an appeal	1403	290	2403	145	Request for oral hearing	1451	1,510	1451	1510	Petition to institute a public use proceeding	1452	110	2452	55	Petition to revive - unavoidable	1453	1,330	2453	665	Petition to revive - unintentional	1501	1,330	2501	665	Utility issue fee (or reissue)	1502	480	2502	240	Design issue fee	1503	640	2503	320	Plant issue fee	1460	130	1460	130	Petitions to the Commissioner	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	1806	180	1806	180	Submission of Information Disclosure Stmt	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	1801	770	2801	385	Request for Continued Examination (RCE)	1802	900	1802	900	Request for expedited examination of a design application	Other fee (specify)			Notice of Appeal Filing fee	330.00	<b>SUBTOTAL (3)</b>				<b>(\$330.00)</b>
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SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	John A. Wiberg	Registration No. (Attorney or Agent)	44,401	Telephone	312-775-8000
Signature				Date	August 19, 2004

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



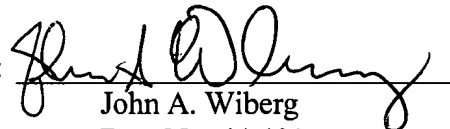
AF/2634  
61

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Our Case No. 13434US01)

Application No.: 09/557,274  
Applicant: O.E. Agazzi  
Filed: April 24, 2000  
For: PHY CONTROL MODULE FOR A  
MULTI-PAIR GIGABIT TRANSCEIVER  
TC/A.U. 2634  
Examiner: S. Liu  
Customer No.: 23,446  
Conf. No.: 8093

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail, postage prepaid, in an envelope addressed to: MS: AF, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on August 19, 2004.

By:   
John A. Wiberg  
Reg. No. 44,401

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

MS: AF  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**RECEIVED**

AUG 26 2004

Technology Center 2600

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision, dated May 19, 2004, of the Primary Examiner finally rejecting claims 1-8 and 15-22. All the rejected claims which have not previously been cancelled or withdrawn are appealed.

**FEE DETERMINATION**

[X] The applicant is a large entity, so the fee due is \$330.00, in accordance with the PTO fee schedule which became effective in October 2003.

Appl. No. 09/557,274  
Not. of Appeal dated Aug. 19, 2004  
Reply to Final Office Action of May 19, 2004

**FEE PAYMENT**

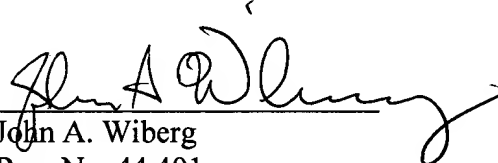
The following arrangements have been made to pay the fees calculated above:

- [X] A check in the amount of \$330.00 to cover the calculated fee is enclosed.  
[ ] Please charge our Deposit Account No. 13-0017 in the amount of \$ to cover the calculated fee.

The Commissioner is hereby authorized to charge any additional fees which are presently required, or credit any overpayment, to Deposit Account No. 13-0017.

Date: August 19, 2004

Respectfully submitted,

  
\_\_\_\_\_  
John A. Wiberg  
Reg. No. 44,401  
Attorney for applicant

McAndrews, Held & Malloy, Ltd.  
34th Floor  
500 West Madison Street  
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(312) 775-8000